

STATE OF INDIANA ) IN THE JOHNSON COUNTY SUPERIOR COURT 3  
 )SS:  
COUNTY OF JOHNSON ) CAUSE NUMBER(S): 41D03-0905-FC-00017

STATE OF INDIANA )  
 )  
 )  
vs. )  
 )  
 )  
WANDA ROBERTSON )

PLEA AGREEMENT

**PART A. DEFENDANT'S REPRESENTATIONS TO THE COURT**

Comes now the defendant and respectfully represents to the court the following:

- 1. My full name is Wanda Ellen Robertson.
- 2. My date of birth is 10.27.42.
- 3. My social security number is [REDACTED].

(please initial the following)

- WR 4. I am represented by Nike Bonv, attorney at law.
- WR 5. I can read, write and understand the English language and/or have had this agreement translated for me.
- WR 6. I have received and read a copy of the Charging Information and Probable Cause Affidavit in this case and I understand the nature of the charges against me.
- WR 7. I have discussed this case with my attorney and I have provided my attorney with all facts and witnesses known to me concerning this case.
- WR 8. I understand that:
  - a. A person convicted of a class "A" felony shall be imprisoned for a fixed term between twenty (20) and fifty (50) years, the advisory sentence is thirty (30) years; in addition, a fine of not more than \$10,000 may be imposed.

- b. A person convicted of a class "B" felony shall be imprisoned for a fixed term between six (6) and twenty (20) years, the advisory sentence is ten (10) years; in addition, a fine of not more than \$10,000 may be imposed.
- c. A person convicted of a class "C" felony shall be imprisoned for a fixed term between two (2) and eight (8) years, the advisory sentence is four (4) years; in addition, a fine of not more than \$10,000 may be imposed.
- d. A person convicted of a class "D" felony shall be imprisoned for a fixed term between one-half (1/2) year and three (3) years, the advisory sentence is one and one-half (1 1/2) years; in addition, a fine of not more than \$10,000 may be imposed. In addition, the Court may enter judgment of Conviction of a class "D" felony as a class A Misdemeanor and sentence accordingly.
- e. A person convicted of a class "A" misdemeanor shall be imprisoned for a fixed term of not more than one (1) year; in addition, a fine of not more than \$5,000 may be imposed.
- f. A person convicted of a class "B" misdemeanor shall be imprisoned for a fixed term of not more than one hundred and eighty (180) days; in addition, a fine of not more than \$1,000 may be imposed.
- g. A person convicted of a class "C" misdemeanor shall be imprisoned for a fixed term of not more than sixty (60) days; in addition, a fine of not more than \$500 may be imposed.
- h. Unless otherwise specified, ~~the terms~~ and conditions of any probation are in the discretion of the court.
- i. In addition to any penalty listed above, a person convicted of an offense also faces the possibility of suspension of his/her driver's license anywhere from 30 days to a lifetime suspension.

- WA 9. I understand that there is a possibility that if I am convicted of more than one offense, I may have to serve and complete one sentence before I begin to serve the sentence on any additional offenses of which I am convicted.
- WA 10. I understand that the Court is not a party to this agreement and may either accept or reject this agreement. If the Court accepts this agreement, the Court shall be bound by the terms of this agreement. If the Court rejects this agreement, the Court shall withdraw my plea of guilty and reinstate a plea of not guilty.
- WA 11. I understand that I may plead NOT GUILTY to any offense charged against me, and that the United States and Indiana Constitutions guarantee me:

- a. The right to a speedy trial if timely requested;
- b. The right to a public trial by jury;
- c. The right to confront and cross-examine all witnesses against me at my trial;
- d. The right to a presumption of innocence and to force the State to prove the charge(s) against me beyond a reasonable doubt, with no requirement on my part to prove anything;
- e. The right to testify or not to testify on my own behalf at my trial without any presumption of guilt arising from a refusal to testify;
- f. The right to obtain witnesses by a compulsory process and present evidence in my favor;
- h. The right to appeal if I am convicted at trial.
- i. The right to an attorney at every stage of the judicial proceeding, including upon appeal, and, if I cannot afford an attorney, to have the Court appoint one for me at public expense.

**I understand that by pleading GUILTY I am voluntarily waiving these rights.**

- WN 12. I declare that I offer my plea of GUILTY freely and voluntarily. I do not do so because of any threats or promises made to me from anyone, other than those contained in this agreement.
- WN 13. I declare that I am satisfied with the manner in which my attorney has represented me in this matter and that my attorney has attempted to do everything I have asked him/her to do with regard to this matter.
- WN 14. I acknowledge that any treatment I may receive shall not be in lieu (instead) of prosecution pursuant to I.C. 12-23-5 et seq.
- WN 15. I acknowledge that, even if the prosecutor makes no recommendation as to my sentence, that any victim of a crime resolved by this plea agreement may make a statement and/or recommendation to the court.
- WN 16. I understand that the recommendation of the prosecutor is based in part on my agreement to not seek (by petition or otherwise) a modification of my sentence. By accepting this agreement, I hereby waive any right I have (including those listed under IC 35-38-1-17) to modify and/or reduce of any term of my sentence (including but not limited to terms of incarceration, community corrections and/or probation), unless otherwise specified. My waiver specifically precludes my participation in the community transition program.
- WN 17. I acknowledge that I may have the right to challenge this agreement and the resulting

conviction and sentence. By entering into this plea agreement I hereby waive any right to appeal the conviction and/or sentence in this cause by direct appeal so long as the Judge sentences me within the terms of my plea agreement.

- WL 18. I understand I have the right to attack this conviction collaterally through a Petition for post-Conviction Relief (PCR). A PCR petition can be filed for a number of reasons including: a lack of factual basis or your belief that the plea was not taken voluntarily or intelligently. I understand that a delay in filing a PCR petition may result in the denial of my Petition.
- WL 19. By entering into this agreement, I waive any of the privacy protections provided for in Administrative Rule 9 and agree and acknowledge that this conviction may be released and used against me during the prosecution of any other crimes I commit.
- WL 20. I acknowledge and agree that if I was/am not an employed, resident of Johnson County at the time of the offense and at the time of my sentencing, that I am not eligible to be placed on any Johnson County Community Corrections program without the specific approval of the prosecutor.
- WL 21. By accepting this agreement I hereby agree that I shall be disenfranchised at the time a felony conviction is entered against me and that I shall remain so until my voting rights are subsequently restored.
- WL 22. I acknowledge that I understand and agree to all of the above terms.

**PART B. RECOMMENDATION OF PROSECUTOR:**

1. The Defendant agrees to the terms and waivers listed above and shall enter a plea of Guilty to the charge(s) of:  
  
COUNT I, SECURITIES FRAUD, CLASS C FELONY,  
COUNT V, UNLAWFUL ACTS RELATED TO OFFER OR SALE OF A SECURITY,  
CLASS C FELONY, AND  
COUNT IX, BROKER-DEALER REGISTRATION REQUIRED, CLASS C FELONY
2. In exchange for the Defendant's agreement to the terms and waivers listed above and for his plea of guilty to the charges listed above, the State makes the following recommendation to the Court concerning the disposition(s) of all pending matters under the above listed cause number(s):
  - a. SENTENCES IMPOSED ON COUNTS I AND V TO BE CONSECUTIVE TO EACH OTHER
  - b. SENTENCE ON COUNT IX MAY RUN CONCURRENTLY TO COUNTS I AND V

- c. CAP OF 10 YEARS ON EXECUTED PORTION OF SENTENCE
- d. STATE HAS NO RECOMMENDATION AS TO PLACEMENT
- e. DEFENDANT IS TO PAY RESTITUTION IN THE AMOUNT OF \$171,432.09
- f. ANY REMAINING RESTITUTION OWED AT THE END OF PROBATION TO BE REDUCED TO A CIVIL JUDGMENT
- g. ALL REMAINING COUNTS TO BE DISMISSED
- h. THE STATE HAS NO FURTHER RECOMMENDATION

ADDITIONAL: The defendant has served \_\_\_\_\_ actual day(s). Any fines, fees, costs, license suspensions and/or terms of probation are in the discretion of the court. Any property seized from Defendant in the above listed cause(s) and currently in the possession of a law enforcement agency is hereby forfeited to that agency.

\_\_\_\_\_  
Deputy Prosecuting Attorney

\_\_\_\_\_  
Date Signed

#### **PART C. DEFENDANT'S ACCEPTANCE OF PLEA AGREEMENT**

1. Based upon my Representations to the Court and the Recommendations of Prosecutor, I respectfully move the Court to withdraw my former plea of NOT GUILTY and now enter a plea of GUILTY to those crimes listed under the Recommendations of Prosecutor.
2. Further, I ask the Court to accept this Plea Agreement and the Recommendations of Prosecutor contained herein.

Standa Williams  
Defendant's Signature

\_\_\_\_\_  
Date Signed

#### PART D. CERTIFICATE OF COUNSEL

The undersigned, as attorney for defendant, hereby certifies that:

1. I have read and fully explained to defendant all the accusations against defendant which are set forth in the Charging Information (indictment) in this case;
2. I have discussed the foregoing written Plea Agreement with defendant and, to the best of my knowledge and belief, each statement set forth therein is true and accurate;
3. The plea of GUILTY offered by defendant accords with my understanding of the facts as related to me by defendant and is consistent with my advice to defendant;
4. In my opinion, the plea of GUILTY offered by defendant is voluntarily and understandingly made and is in the interests of defendant, and I recommend to the Court that such plea of GUILTY be accepted and entered on behalf of defendant.

Adam T. Bell  
Attorney for Defendant

1/16/10  
Date Signed

#### PART E. COURT VERIFICATION OF ACCEPTANCE OF PLEA AGREEMENT

The Court having personally addressed defendant and having advised him/her of his/her rights and having determined that he/she understands the same and has entered his/her plea voluntarily and not by reason of any promises, force or threats having been made to him/her, now accepts defendant's plea of GUILTY and orders this Agreement made a part of a transcript as well as the entire proceedings of the guilty plea hearing and sentence herein.

\_\_\_\_\_  
Judge, Johnson County Superior Court 3

\_\_\_\_\_  
Date Signed